

MEMO ENDORSED



STATE OF NEW YORK  
OFFICE OF THE ATTORNEY GENERAL

LETITIA JAMES  
ATTORNEY GENERAL

DIVISION OF STATE COUNSEL  
LITIGATION BUREAU

Writer's Direct Dial: (212) 416-8973

August 1, 2021

**BY ECF**

The Honorable Nelson S. Román  
United States District Judge  
300 Quarropas Street  
White Plains, New York 10601

Re: Peters v Huttel et al, SDNY 15 Civ. 9274 (NSR)

Dear Judge Román:

This Office represents defendants Correction Officer (“CO”) Daniel Huttel, CO Jeffrey Erns, and Sergeant Duane Malark (“Defendants”) in the above-referenced action filed by pro se plaintiff Tyrone Peters. I write to respectfully request a one week adjournment of the following filing deadlines:

Joint Pretrial Order from August 2, 2021 to August 9, 2021  
Motion in Limine Moving Papers from August 6, 2021 to August 13, 2021  
Motion in Limine Opposition Papers from August 13, 2021 to August 20, 2021  
Motion in Limine Reply Papers from August 20, 2021 to August 27, 2021

Defendants respectfully request the adjournment because they have not yet received Plaintiff’s portion of the Joint Pretrial Order. On July 20, 2021, I spoke to Plaintiff and outlined the Joint Pretrial Order and its current deadline. On July 23, 2021, I served a copy of Defendants’ draft Joint Pretrial Order with blank spaces for Plaintiff’s portions. However, to date, I have not received Plaintiff’s contributions to the Joint Pretrial Order. Accordingly, I am respectfully requesting a brief adjournment of the above deadlines to allow the parties to confer and submit a Joint Pretrial Order with Plaintiff’s portion completed.

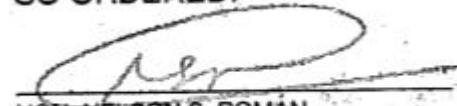
In the alternative, I respectfully request that Defendants be permitted to file any appropriate supplemental motions in limine once we have received and had an opportunity to review Plaintiff’s portions of the Joint Pretrial Order.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: 8/2/2021

Defts' request for an extension of the below stated trial-related filing deadlines is granted. Clerk of Court requested to terminate the motion (doc. 107), mail a copy of this endorsement to pro se Pltf and show proof of service on the docket.

Dated: Aug. 2, 2021

**SO ORDERED:**

  
HON. NELSON S. ROMÁN  
UNITED STATES DISTRICT JUDGE

This is the first request for an adjournment of the above deadlines. Because of the difficulty communicating with incarcerated pro se litigants, I make this request without knowledge of Plaintiff's position.

Thank you for your consideration to the application herein.

Respectfully submitted,

/S Brendan M. Horan

Brendan M. Horan  
Assistant Attorney General  
Brendan.Horan@ag.ny.gov

cc: Tyrone Peters (via United States Mail)